

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor , I hereby declare that :

I believe I am the sole (if only one name appears below) , or joint (if more than one name appears) , original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled :

"OPTICAL DISK DRIVE WITH ADAPTIVE COMPENSATOR"

+ The specification for the above entitled invention is filed herewith.

The specification for the above entitled invention was filed previously with application serial number: _____ Filing Date: _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the invention disclosed in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (a). I further acknowledge the duty in any continuation-in-part application to disclose to the Patent and Trademark Office all information known to be material to the patentability of the invention disclosed in this application, as defined in 1.56, which became available to me between the filing date of the prior application and the filing date of this application.

PRIORITY CLAIM

There is no claim of priority

Claim of priority is based on the following:

Filing No. in Taiwan, R.O.C. = 090111345

Filing Date in Taiwan, R.O.C. = 2001/05/11

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorneys to prosecute this application and to transact all related business in the Patent and Trademark Office:

Winston Hsu	Registration# 41,526	WinstonHsu@naipo.com.tw
Mord Michael Lewis	Registration# 50,478	MikeLewis@naipo.com.tw

P.O. Box 506,
Merrifield, Virginia 22116,
U.S.A
TEL: 02-8923-7350

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

Date: Nov. 11, 2001

Printed Name:

Jia-Shing Sheu

Jia-Shing Sheu

Post Office Address:

2F, No.4, Alley 6, Lane 128, Sec.1, Chung-Shan Rd.,

and Residence:

Yungho City, Taipei Hsien, Taiwan, R.O.C.

Citizen of:

R.O.C.

Date: Nov. 11, 2001

Printed Name:

Cheng-Hung Chen

Cheng-Hung Chen

Post Office Address:

No.51, Street 1, Shan-Ho 2 Rd.,

and Residence:

Nan-Tou City, Taiwan, R.O.C.

Citizen of:

R.O.C.

Date:

Printed Name:

Post Office Address:

and Residence:

Citizen of:

Date:

Printed Name:

Post Office Address:

and Residence:

Citizen of:

Date:

Printed Name:

Post Office Address:

and Residence:

Citizen of:

PATENT

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS (Inventors):

Name: Jia-Shing Sheu Nationality: R.O.C.

Address: 2F, No.4, Alley 6, Lane 128, Sec.1, Chung-Shan Rd., Yungho City, Taipei Hsien, Taiwan, R.O.C.

Name: Cheng-Hung Chen Nationality: R.O.C.

Address: No.51, Street 1, Shan-Ho 2 Rd., Nan-Tou City, Taiwan, R.O.C.

Name: _____ Nationality: _____

Address: _____

Name: _____ Nationality: _____

Address: _____

Name: _____ Nationality: _____

Address: _____

Hereby sells, assigns and transfers to VIA Technologies Inc. (hereinafter "Assignee"), of (Assignee address) 8F, No.535, Chung-Cheng Rd, Hsin-Tien City, Taipei Hsien, Taiwan, R.O.C. and the successors assigns and legal representatives of the ASSIGNEE the entire right, title, and interest in and to any and all improvements which are disclosed in the invention entitled: "CD DRIVE WITH AN ADAPTIVE COMPENSATOR"

Which is found in :

- (a) _____ U.S. patent application executed on even date herewith
- (b) _____ U.S. patent application executed on _____
- (c) _____ U.S. application serial no. _____
- (d) _____ patent no. _____ issued _____

and, in and to, all Letters Patent to be obtained for said invention by the above application or ant continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the proposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal this Nov. 11, 2001 (Date of signing).

(Type name of inventor)

Jia-Shing Sheu

Signature of INVENTOR

Jia-Shing Sheu

Cheng-Hung Chen

Cheng-Hung Chen